EXHIBIT 151

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION

<table>
<tr><td>

STUDENTS FOR FAIR ADMISSIONS, INC.,

                    Plaintiff,

    v.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE (HARVARD CORPORATION),

                    Defendant.

</td><td>

Civil Action No. 1:14-cv-14176

Motion to File Under Seal Granted July 24, 2018 [Dkt. 431]

</td></tr>
</table>

DECLARATION OF DAVID CARD, Ph.D.

I, David Card, hereby state under the penalty of perjury that the following statements are true and accurate to the best of my knowledge, and that I could testify to these matters if called to do so:

1.   Prof. Arcidiacono filed a declaration in support of Plaintiff's Motion for Summary Judgment. Declaration of Peter Arcidiacono ("Arcidiacono Dec."). In that declaration, Prof. Arcidiacono reports what he calls a "Stu[y]vesant Case Study." *Id.* at 3. Prof. Arcidiacono's "case study" reports the number of applicants and admitted students of various races, and the rate of admission of students of various races, from Stuyvesant High School in New York City. Arcidiacono Dec. tbl. 2. It shows that the admission rate of Asian-American applicants from Stuyvesant, during the six admissions cycles for which data were produced, was lower than that of White applicants from Stuyvesant. *Id.*

2.   There are two primary flaws in Prof. Arcidiacono's analysis. First, he presents statistics only for one high school. Such anecdotes are not statistically meaningful. One can easily find counter-examples of high schools from which Asian-American applicants have been admitted at

a higher rate than White applicants. For example, the statistics for two other schools across all six admissions cycles are presented in appendix A. I present these anecdotal data for other high schools not to suggest that they shed meaningful light on the issues in this case, but to illustrate that Prof. Arcidiacono cherry-picked the one school on which he chose to focus, again manipulating the statistical evidence to serve SFFA's ends.

3.   Second, the statistics Prof. Arcidiacono presents do not control for any differences between the Asian-American and White applicants from Stuyvesant, aside from their race. Below, I explain how even Prof. Arcidiacono's own model of Harvard's admissions process—despite its numerous flaws, which I address in my reports—shows that the average differences between White and Asian-American applicants from Stuyvesant during the years in question, rather than the race of those applicants, can explain why White applicants were admitted at a higher rate than Asian-American applicants.

4.   I used Prof. Arcidiacono's preferred regression model of admission—which excludes the personal rating, as well as parental occupation and the applicant's intended career—to calculate the predicted probability of admission for Asian-American and White applicants, turning off any effect of race on admissions. Professor Arcidiacono calls this measure an "admissions index," and he uses it in his expert report. Declaration of Felicia H. Ellsworth in Support of Defendant's Motion for Summary Judgment ("Ellsworth"), Ex. 31 at 68, tbl 7.3; Ellsworth Ex. 33 ¶ 76. Each applicant's admissions index reflects the estimated effect on his or her likelihood of admission of the full set of factors considered in Prof. Arcidiacono's model (again, with the effect of race turned off). And the *average* admissions index across all applicants of a particular race is equal to their expected rate of admission on the basis of their non-racial characteristics. Exhibit 1 shows my findings.

5.   I first compared the average admissions index of Asian-American applicants with that of White applicants. For all six years analyzed, Prof. Arcidiacono's own model finds that Asian-

American applicants from Stuyvesant had a lower predicted probability of admission than White applicants. In other words, using Prof. Arcidiacono's model—which, again, excludes the personal rating—one would expect Asian-American applicants from Stuyvesant to have been admitted at a lower rate than White applicants on the basis of all the characteristics that are included in the model, with any effect of race turned off.

6.   I also compared the *actual* admission rate of Asian-American applicants to the *expected* (again, according to Prof. Arcidiacono's own model with any effect of race turned off) admission rate of Asian-American applicants on the basis of their characteristics. If race were the cause of the lower admission rate of Asian-American applicants from Stuyvesant, then one would expect their actual admission rate to be substantially lower than the admission rate predicted by the model. Yet I found that, across all six years of data, Asian-American applicants from Stuyvesant were admitted at a slightly *higher* rate than their characteristics would suggest according to Prof. Arcidiacono's model. On average across the six years, the admission rate of Asian-American applicants was 7.0%, whereas their characteristics would predict an admission rate of 6.9%. That indicates that it is not the race of Asian-American applicants from Stuyvesant that accounts for the rate at which they were admitted.

7.   Finally, I compared the expected difference between the admission rate of Asian-American and White applicants (according to Prof. Arcidiacono's model, with any effect of race turned off) to the actual difference. If the actual difference were larger than the expected difference, then race might explain the gap. Yet the actual gap (5.0 percentage points) was actually slightly *smaller* than the gap predicted by Prof. Arcidiacono's model (5.1 percentage points).

8.   The results discussed above are consistent with those obtained using my own model, instead of Prof. Arcidiacono's, as the basis for the analysis. Under my own preferred model, the

predicted gap in admission rates (after eliminating the effect of race) is similar, at 5.2 percentage

points.

EXHIBIT 1

	Year	Admission Rates			Mean Predicted Probability of Admission Preferred Arcidiacono Model With Any Effect of Race Turned Off		
		White	Asian-American	Difference (% Points)	White	Asian-American	Difference (% Points)
1.	**2014**	13.7%	5.8%	-7.9% *	10.9%	7.9%	-3.0%
2.	**2015**	5.1%	6.1%	0.9%	8.0%	6.3%	-1.8%
3.	**2016**	13.8%	11.7%	-2.1%	13.2%	7.9%	-5.2%
4.	**2017**	22.6%	9.8%	-12.7% *	24.6%	6.7%	-17.9% *
5.	**2018**	9.1%	5.5%	-3.6%	8.2%	8.0%	-0.3%
6.	**2019**	9.5%	3.9%	-5.6%	11.3%	3.7%	-7.6% *
7.	**Overall**	**12.0%**	**7.0%**	**-5.0%** *	**12.1%**	**6.9%**	**-5.1%** *

Source: Augmented Arcidiacono Data; College Board Cluster Data; U.S. Census Data
Note: Data are from applicants to the classes of 2014 – 2019 in Prof. Arcidiacono's expanded sample including athletes. Prof. Arcidiacono's preferred model is run on a pooled sample combining all years of data, in accordance with his reports. Following Prof. Arcidiacono's suggestion, this model includes interactions of race with indicators for recruited athletes, children of Harvard College or Radcliffe alumni, applicants on the Dean's or Director's interest lists, and children of Harvard faculty and staff members. The admission rates in this table are slightly different from the admission rates reported in Prof. Arcidiacono's declaration: This table reflects Prof. Arcidiacono's expanded sample including athletes, whereas the table in his declaration has no restrictions and contains 53 additional applicants. * indicates that the difference between the admission rates of Asian-American and White applicants is statistically significant at the 5% level.

Executed on this day, July 26, 2018.

_____
David Card

APPENDIX

APPENDIX A

	High School	Number of Applicants			Admission Rates	
		White	Asian-American	Total Admitted	White	Asian-American
1.					10.6%	12.7%
2.					6.7%	7.8%

Source: Augmented Arcidiacono Data

Note: Data are from applicants to the classes of 2014 – 2019 in Prof. Arcidiacono's expanded sample including athletes.